

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HARVEY J. KESNER,

Plaintiff,

-v-

DOW JONES & COMPANY, INC. d/b/a BARRON'S,  
WILLIAM "BILL" ALPERT, and TERI BUHL,

Defendants.

20 Civ. 3454 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received a voicemail message from counsel for terminated defendants Dow Jones & Co., Inc. and William Alpert inquiring whether the Court intends to issue a partial judgment as to these defendants. The answer is no. Plaintiff Harvey Kesner has not moved for a partial judgment pursuant to Federal Rule of Civil Procedure 54(b). And partial judgments are disfavored in the Second Circuit. *See, e.g., Ginett v. Comput. Task Grp., Inc.*, 962 F.2d 1085, 1093 (2d Cir. 1992) (federal policy "disfavors 'piecemeal' appellate litigation"); *Hogan v. Consol. Rail Corp.*, 961 F.2d 1021, 1025 (2d Cir. 1992) (federal courts are "empowered to enter a final judgment as to fewer than all of the parties in an action, but 'only upon an express determination that there is no just reason for delay'" (quoting Fed. R. Civ. P. 54(b))). The Court is unaware of any basis for an exception to that policy here.

SO ORDERED.

A handwritten signature in blue ink, reading "Paul A. Engelmayer". The signature is written in a cursive style with a horizontal line underneath it.

PAUL A. ENGELMAYER  
United States District Judge

Dated: March 1, 2021  
New York, New York